

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

**BRIAN FORSHEY, an incapacitated
person, by the Guardian of his Person
and Estate, LINDA J. FORSHEY,**

Plaintiff

v.

HUNTINGDON COUNTY, *et al.*,

Defendants

CIVIL NO. 1:13-CV-0285

(Judge Rambo)

(Magistrate Judge Mehalchick)

ORDER

Before the court is an August 10, 2015 report of the magistrate judge (Doc. 47) to whom this matter was referred in which she recommends that the Huntingdon County Defendants' motions to dismiss (Doc. 39) be denied. Objections to the report and recommendation were due August 27, 2015 and, to date, no objections have been filed.

Therefore, upon independent review of the entire record and the applicable law, **IT IS HEREBY ORDERED THAT:**

1) The court adopts the report and recommendation of Magistrate Judge Mehalchick (Doc. 47).

2) Defendants' motion to dismiss (Doc. 39) is **DENIED**.

3) This action is remanded to Magistrate Judge Mehalchick for further proceedings.

s/Sylvia H. Rambo
United States District Judge

Dated: September 2, 2015.